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Facsimile Transmittal

DATE: May 16, 2005

TO: USPTO

ATTN: NOTICE OF APPEAL

RE: Serial No. 10,034,776

FAX : (703) 872-9306

FROM: George C. Pappas

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OPE/JCVS

Number of Pages Sent: 2 (including this transmittal cover sheet)

ATTACHED HERETO PLEASE FIND A NOTICE OF APPEAL IN (2) PAGES;

PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

I hereby certify that this correspondence is being sent VIA FACSIMILE to the Commissioner of Patents at fax number (703) 872-9306. Attention Office of Amendments, on:

5/16/05

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Darla D. Kasmado

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T-211 P.002/003 F-464

MAY 16 2005

Attorney Docket No. 010555

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)

JAMES A. HUTCHISON)

Serial No. 10/034,776)

Filed: December 21, 2001)

For: **ARBITRATED AUDIO
COMMUNICATION WITH
REDUCED LATENCY**

) Group No. 2684

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Angelica Perez
Examiner

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 7, 2005, of the Primary Examiner finally rejecting Claims 1-35. Pursuant to 37 CFR § 1.17(b) the fee for filing the Notice of Appeal is \$500.00.

I hereby certify that this correspondence is sent VIA
FACSIMILE to the Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450, on:

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Daria Kasmado

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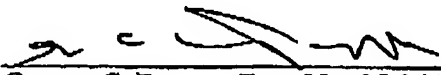
05/17/2005 HGUTEMA1 00000039 170026 10034776
01 FC:1401 500.00 DA

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$500.00 to pay the necessary fee due under 37 CFR § 1.17(b) for the filing of the Notice of Appeal. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate copy of this notice is enclosed.

Respectfully submitted,

Dated: 5/16/05

By:


George C. Pappas, Reg. No. 35,065
858-651-1306

QUALCOMM Incorporated
Attn: Patent Department
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